

Notice of Allowability

Application No.

09/753,329

Examiner

JAGDISH PATEL

Applicant(s)

RUPP ET AL.

Art Unit

3693

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/22/07.
2. ☒ The allowed claim(s) is/are 1,5-8 and 10-26.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to amendment filed 6/22/07.

Response to Amendment

2. Claims 1,5,6,17 and 18 have been amended. New claims 19-26 have been added.
Claims 1, 5-8 and 10-26 are pending and have been allowed.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance:

The claimed inventions pertain to online auction and in particular processing bids wherein a plurality of line items is associated with the bids.

Claims 1,5-8 and 10-26 are allowed because the prior art of record fails to teach or suggest an online auction which comprises the features of calculating a total bid value by performing a function including a predetermined formula on the bid variables associated with bidding for a lot of goods having a plurality of line items and each line item associated with a bid variable, calculating a total bid value by performing a function on the bid variables using initial values for each bid variable from the bidders wherein each line item is associated with a weight factor determined by an enterprise buyer receiving the bids, when combined with a bid variable associated with a respective line item, contributes in the total bid value of the lot of goods, and wherein the total bid value is used to bid on behalf of the respective enterprise supplier bidder for the lot of goods as a whole and the total bid value is further used by respective enterprise

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supplier bidder to determine the bidding position by comparing total bid values of a remainder of the plurality of enterprise supplier bidders.

The closest prior art reference Parunak et al (US 2002/0013631) discloses a method of automatically adjusting a total bid value for a multiple variable bid for an online auction and wherein the total bid value is calculated by performing a function on multiple bid variables (see p. 9, col. [0125]-[0137], in particular sum of the prices of the offers to made by the ith agent and rules applied in formulating bids as explained in para [0134]-[0135]).

However, Parunak fails to teach or suggest calculating a total bid value by performing a function including a predetermined formula on the bid variables associated with bidding for a lot of goods having a plurality of line items and each line item associated with a bid variable, calculating a total bid value by performing a function on the bid variables using initial values for each bid variable from the bidders wherein each line item is associated with a weight factor determined by an enterprise buyer receiving the bids, when combined with a bid variable associated with a respective line item, contributes in the total bid value of the lot of goods

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAGDISH PATEL whose telephone number is (571) 272-6748.

The examiner can normally be reached on 800AM-630PM Mon-Tue and Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **KRAMER JAMES A** can be reached on **(571)272-6783**. The fax phone number for the organization where this application or proceeding is assigned is 517-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jagdish N. Patel

(Primary Examiner, AU 3693)

9/4/07